

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEITH B. FURMAN,

Plaintiff,

v.

Civil Case No. 17-12857
Honorable Linda V. Parker

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

OPINION AND ORDER

On August 30, 2017, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for social security benefits. On the same date, this Court referred the lawsuit to Magistrate Judge Elizabeth A. Stafford for all pretrial proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). The parties subsequently filed cross-motions for summary judgment.

On August 15, 2018, Magistrate Judge Stafford issued an R&R recommending that this Court grant Plaintiff's motion, deny Defendant's motion, and remand the matter pursuant to sentence four of 42 U.S.C. § 405(g) for further

proceedings consistent with the R&R. At the conclusion of the R&R, Magistrate Judge Stafford advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. She further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Stafford. The Court therefore adopts Magistrate Judge Stafford’s R&R.

Accordingly,

IT IS ORDERED that Plaintiff’s motion for summary judgment (ECF No. 13) is **GRANTED**;

IT IS FURTHER ORDERED that Defendant’s motion for summary judgment (ECF No. 20) is **DENIED**;

IT IS FURTHER ORDERED that this matter is remanded to the Commissioner of Social Security pursuant sentence four of 42 U.S.C. § 405(g).

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 4, 2018

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, September 4, 2018, by electronic and/or U.S. First Class mail.

s/ R. Lory
Case Manager